

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

LAS VEGAS DEVELOPMENT GROUP, LLC)
)
 Plaintiff,)
)
 vs.)
)
 COLFIN AI-NV 2, LLC, et al.,)
)
 Defendants.)

Case No. 2:15-cv-01394-RFB-CWH
ORDER

Presently before the Court is Plaintiff Las Vegas Development Group, LLC's Motion to Expand Time for Service and for Leave to Serve by Publication (ECF No. 19), filed on August 26, 2015. Plaintiff moves for an extension of time to serve Defendants John Vida and Elmer S. Castro and for permission to serve these Defendants by publication. In support of its motion, Plaintiff provides the declaration of attorney Timothy E. Rhoda and four process server's affidavits detailing Plaintiff's unsuccessful attempts to locate and serve Defendants John Vida and Elmer S. Castro. (Decl. of Timothy E. Rhoda (ECF No. 19-1); Aff. of Service (ECF No. 19-2); Aff. of Attempted Service (ECF No. 19-3); Aff. of Due Diligence (ECF No. 19-4); Aff. of Due Diligence (ECF No. 19-5).)

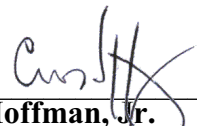
Based on this evidence, the Court finds that good cause exists for Plaintiff to serve Defendants John Vida and Elmer S. Castro by publication under Federal Rule of Civil Procedure 4(e)(1) and Nevada Rule of Civil Procedure 4(e)(1). The Court therefore will grant Plaintiff's motion to serve by publication and will extend the current service deadline, which is October 3, 2015, by 30 days. Additionally, given that it appears Defendant Elmer S. Castro resides in Guam, the Court finds that publication in a newspaper published in Guam "is necessary to give notice that is reasonably calculated to give [Defendant Castro] actual notice of the proceedings." Nev. R. Civ. P. 4(e)(1)(iii). The Court therefore will require service by publication in a newspaper published in

1 Guam in addition to in-state publication as to Defendant Castro.

2 IT IS THEREFORE ORDERED that Plaintiff Las Vegas Development Group, LLC's
3 Motion to Expand Time for Service and for Leave to Serve by Publication (ECF No. 19) is
4 GRANTED.

5 IT IS FURTHER ORDERED that on or before September 8, 2015, Plaintiff Las Vegas
6 Development Group, LLC must file a proposed order regarding service by publication that
7 conforms to the requirements of Federal Rule of Civil Procedure 4(e)(1), Nevada Rule of Civil
8 Procedure 4(e)(1), and the requirements set forth in this Order.

9
10 DATED: September 1, 2015.

11
12 
13 **C.W. Hoffman, Jr.**
14 **United States Magistrate Judge**
15
16
17
18
19
20
21
22
23
24
25
26
27
28